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Attorneys for Creditors
JAIME RODRIGUEZ, and
ANA LIDIA GOMEZ

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In re

THE ORIGINAL MOWBRAY'S TREE
SERVICE, INC., a Delaware corporation

Debtor and
Debtor-in-Possession,

BK Case No.: 8:24-bk-12674-TA

Chapter 11

**OPPOSITION AND REQUEST FOR A
HEARING ON MOTION FOR AN
ORDER APPROVING EXPEDITED
PROCEDURES FOR THE SALE OF DE
MINIMIS ASSETS PURSUANT TO 11
U.S.C. § 363**

Jaime Rodriguez and Ana Lidia Gomez (“Rodriguez/Gomez”) hereby and oppose the *Motion for an Order Approving Expedited Procedures for the Sale of De Minimis Assets Pursuant to 11 U.S.C. § 363* [Doc. 266] (“Motion”).

On February 7, 2025, Rodriguez/Gomez filed a motion to appoint a chapter 11 trustee and substantively consolidate the Debtor’s bankruptcy estate with its affiliates, specifically Pino Tree Service, Inc., Mowbray Waterman Property, LLC, and Phoenix Traffic Management, Inc. (“Affiliates”). *See* Doc. 286 (“Trustee/Consolidation Motion”). For the reasons set forth in that motion, a chapter 11 trustee must be appointed due to the irreconcilable conflicts of interest of the Debtor’s management and their fraudulent transfer of millions of dollars to the Affiliates. Debtor should not be allowed to further dissipate the bankruptcy estate, especially through expedited sale procedures.

Accordingly, the Motion should be denied, and the Court should appoint a chapter 11 trustee and substantively consolidate the Debtor’s bankruptcy estate with the Affiliates as set forth in the Trustee/Consolidation Motion.

Dated: January 25, 2025 Submitted by: /s/ Donald W. Reid, Esq.
Donald W. Reid, Esq.
Bankruptcy Law Center, APC
Attorneys for Plaintiffs

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

1230 Columbia St., Suite 1100, San Diego, CA 92101

A true and correct copy of the foregoing document entitled (*specify*): Opposition and Request for a Hearing on Motion for an Order Approving Expedited Procedures for the Sale of De Minimis Property Pursuant to 11 U.S.C. § 363 will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) February 7, 2025, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Kenneth J Catanzarite** kcatanzarite@catanzarite.com
- **Marshall F Goldberg** mgoldberg@glassgoldberg.com, jbailey@glassgoldberg.com
- **Alan Craig Hochheiser** ahochheiser@mauricewutscher.com, arodriguez@mauricewutscher.com
- **Raffi Khatchadourian** raffi@hemar-rousso.com
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- **James MacLeod** jmacleod@dunninglaw.com, nancy@dunninglaw.com
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- **Sharon Z. Weiss** sharon.weiss@bclplaw.com, raul.morales@bclplaw.com, REC_KM_ECF_SMO@bclplaw.com, sharon-weiss-7104@ecf.pacerpro.com
- **Mandy Youngblood** csbk@gmfinancial.com
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☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration

that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

February 7, 2025
Date

Donald W. Reid
Printed Name

/s/Donald W. Reid
Signature